

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Ullman et al.**

Serial No.: **09/820,502**

Filed: **March 29, 2001**

For: **Method and System for Network
Management Capable of Identifying Sources
of Small Packets**

§ Group Art Unit: **2151**

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§ Examiner: **Tang, Karen C.**

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§ Attorney Docket No.: **AUS920010164US1**

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PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

No fees are believed to be required to file this Declaration. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

In the Renewed Petition to Revive, please consider the following declaration.

DECLARATION UNDER 37 C.F.R. § 1.132

In support of the Renewed Petition to Revive in patent application number 09/820,502, I hereby declare the following:

- 1) I am of legal age and employed by Yee & Associates, P.C., Attorneys for IBM Corporation (the "Client").
- 2) In February, 2007, I was requested to review the outstanding Office Action dated December 30, 2004, in application number 09/820,502 and to advise the Client if the application appeared to contain patentable subject matter in view of the references cited in the Office Action so as to warrant the filing of a Petition to Revive in connection with the application.
- 3) On February 23, 2007, I advised the Client that, in my opinion, the application contained patentable subject matter and recommended filing a Petition to Revive together with a Response to the outstanding Office Action.
- 4) On February 23, 2007, the Client authorized me to proceed with the Petition to Revive.
- 5) The application file was placed in a bookcase in my office, and, I believe, as a result of other projects I was working on, I forgot about and did not prepare the Petition to Revive.
- 6) When Yee & Associates discovered that the Petition to Revive had not yet been prepared and filed, the project was assigned to another attorney for immediate handling.
- 7) My failure to prepare and file the Petition to Revive after having been authorized to do so by the Client on February 23, 2007, was inadvertent and unintentional .

I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. All statements made in this declaration of my own knowledge are true and all statements made on information and belief are believed to be true.

DATE: March 24, 2008

/Gerald H. Glanzman/

Gerald H. Glanzman
Reg. No. 25,035